

# EXHIBIT A

## Techentin, Jeffrey

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**From:** Griffin, Oliver D. <Oliver.Griffin@KutakRock.com>  
**Sent:** Saturday, November 13, 2021 10:45 AM  
**To:** Techentin, Jeffrey; Kessler, Peter N.; Bozeman, Melissa A.  
**Cc:** Carmeli, Daniel; Nemcik, Robin M.  
**Subject:** RE: Ingenico / AnywhereCommerce / Plaintiffs' depositions

Jeff:

We have confirmation from Mr. Lo that he will be in Vancouver, B.C. the week of 12/06/21. We will present him for deposition on 12/08 and 12/09 (if needed).

Please confirm and schedule accordingly.

Regards, Oliver

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**From:** Techentin, Jeffrey <Jtechentin@apslaw.com>  
**Sent:** Tuesday, November 9, 2021 9:14 AM  
**To:** Griffin, Oliver D. <Oliver.Griffin@KutakRock.com>; Kessler, Peter N. <Peter.Kessler@KutakRock.com>; Bozeman, Melissa A. <Melissa.Bozeman@KutakRock.com>  
**Cc:** Carmeli, Daniel <Daniel.Carmeli@KutakRock.com>; Nemcik, Robin M. <Robin.Nemcik@KutakRock.com>  
**Subject:** RE: Ingenico / AnywhereCommerce / Plaintiffs' depositions

### [ CAUTION - EXTERNAL SENDER ]

Thank you, Oliver. My intention had been to use 3 days, one each for Kron, Cobrin, and the corporate deposition, with the 30(b)(6) on the last day as I expect it will be clean-up and likely will not require 7 hours. My intent was to use 11/29, 30, and 12/2 except that Cobrin only has half the day on the 29<sup>th</sup> and no availability on the 30<sup>th</sup>. So we'll notice Cobrin on the 29<sup>th</sup> and if necessary concluding on the 2<sup>nd</sup>, and the 30(b)(6) for the 2<sup>nd</sup>. We'll issue the deposition notices for 11/29 at 1pm for Cobrin, 11/30 at 10am for Kron, and the 30(b)(6) on 12/2 at 10am, with the understanding that if we haven't concluded Cobrin, we'll do that before turning to the 30(b)(6).

Jeff

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---

**From:** Griffin, Oliver D. <[Oliver.Griffin@KutakRock.com](mailto:Oliver.Griffin@KutakRock.com)>

**Sent:** Tuesday, November 9, 2021 11:07 AM

**To:** Techentin, Jeffrey <[Jtechentin@apslaw.com](mailto:Jtechentin@apslaw.com)>; Kessler, Peter N. <[Peter.Kessler@KutakRock.com](mailto:Peter.Kessler@KutakRock.com)>; Bozeman, Melissa A. <[Melissa.Bozeman@KutakRock.com](mailto:Melissa.Bozeman@KutakRock.com)>

**Cc:** Carmeli, Daniel <[Daniel.Carmeli@KutakRock.com](mailto:Daniel.Carmeli@KutakRock.com)>; Nemcik, Robin M. <[Robin.Nemcik@KutakRock.com](mailto:Robin.Nemcik@KutakRock.com)>

**Subject:** RE: Ingenico / AnywhereCommerce / Plaintiffs' depositions

Jeff: We are working on it and when we have an answer, you will know. Please lock in Kron and Cobrin, so this doesn't become an issue.

If you need to understand the difference between USA/Canada, the issue is quarantine times/restrictions that Mr. Lo will have to be subjected to upon his return to Hong Kong.

Also, we will get back to you by Friday of this week on the counterclaim issue/dismissal proposal.

---

**From:** Techentin, Jeffrey <[Jtechentin@apslaw.com](mailto:Jtechentin@apslaw.com)>

**Sent:** Tuesday, November 9, 2021 8:50 AM

**To:** Kessler, Peter N. <[Peter.Kessler@KutakRock.com](mailto:Peter.Kessler@KutakRock.com)>; Bozeman, Melissa A. <[Melissa.Bozeman@KutakRock.com](mailto:Melissa.Bozeman@KutakRock.com)>

**Cc:** Carmeli, Daniel <[Daniel.Carmeli@KutakRock.com](mailto:Daniel.Carmeli@KutakRock.com)>; Griffin, Oliver D. <[Oliver.Griffin@KutakRock.com](mailto:Oliver.Griffin@KutakRock.com)>; Nemcik, Robin M. <[Robin.Nemcik@KutakRock.com](mailto:Robin.Nemcik@KutakRock.com)>

**Subject:** RE: Ingenico / AnywhereCommerce / Plaintiffs' depositions

[ CAUTION - EXTERNAL SENDER ]

Why not just present him in Massachusetts if he's traveling across the globe?

Still need a response on the counterclaim issue, too.

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**From:** Kessler, Peter N. <[Peter.Kessler@KutakRock.com](mailto:Peter.Kessler@KutakRock.com)>

**Sent:** Tuesday, November 9, 2021 10:06 AM

**To:** Techentin, Jeffrey <[Jtechentin@apslaw.com](mailto:Jtechentin@apslaw.com)>; Bozeman, Melissa A. <[Melissa.Bozeman@KutakRock.com](mailto:Melissa.Bozeman@KutakRock.com)>

**Cc:** Carmeli, Daniel <[Daniel.Carmeli@KutakRock.com](mailto:Daniel.Carmeli@KutakRock.com)>; Griffin, Oliver D. <[Oliver.Griffin@KutakRock.com](mailto:Oliver.Griffin@KutakRock.com)>; Nemcik, Robin M. <[Robin.Nemcik@KutakRock.com](mailto:Robin.Nemcik@KutakRock.com)>

**Subject:** RE: Ingenico / AnywhereCommerce / Plaintiffs' depositions

Ok. We're trying to get Ben from Hong Kong to Canada to smooth the process for everyone, and this is taking time to figure out. My suggestion is that we lock in Cobrin and Kron now.

---

**From:** Techentin, Jeffrey <[Jtechentin@apslaw.com](mailto:Jtechentin@apslaw.com)>

**Sent:** Tuesday, November 9, 2021 7:01 AM

**To:** Kessler, Peter N. <[Peter.Kessler@KutakRock.com](mailto:Peter.Kessler@KutakRock.com)>; Bozeman, Melissa A. <[Melissa.Bozeman@KutakRock.com](mailto:Melissa.Bozeman@KutakRock.com)>

**Cc:** Carmeli, Daniel <[Daniel.Carmeli@KutakRock.com](mailto:Daniel.Carmeli@KutakRock.com)>; Griffin, Oliver D. <[Oliver.Griffin@KutakRock.com](mailto:Oliver.Griffin@KutakRock.com)>; Nemcik, Robin M. <[Robin.Nemcik@KutakRock.com](mailto:Robin.Nemcik@KutakRock.com)>

**Subject:** Re: Ingenico / AnywhereCommerce / Plaintiffs' depositions

[ CAUTION - EXTERNAL SENDER ]

Thank you Peter, but it's hard for me to schedule these without accounting for Ben Lo. Please let me know where you intend to present him and what dates he is available. Also, I'm still waiting for a response on the counterclaim issue.

Jeff

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**From:** Kessler, Peter N. <[Peter.Kessler@KutakRock.com](mailto:Peter.Kessler@KutakRock.com)>

**Sent:** Monday, November 8, 2021 2:00 PM

**To:** Techentin, Jeffrey <[Jtechentin@apslaw.com](mailto:Jtechentin@apslaw.com)>; Bozeman, Melissa A. <[Melissa.Bozeman@KutakRock.com](mailto:Melissa.Bozeman@KutakRock.com)>

**Cc:** Carmeli, Daniel <[Daniel.Carmeli@KutakRock.com](mailto:Daniel.Carmeli@KutakRock.com)>; Griffin, Oliver D. <[Oliver.Griffin@KutakRock.com](mailto:Oliver.Griffin@KutakRock.com)>; Nemcik, Robin M. <[Robin.Nemcik@KutakRock.com](mailto:Robin.Nemcik@KutakRock.com)>

**Subject:** RE: Ingenico / AnywhereCommerce / Plaintiffs' depositions

Jeff,

Picking this up for Melissa, and I apologize if you have already covered some of this ground.

For Cobrin, we have:

Nov 22nd and 23rd, 11:30 onward

Nov 29<sup>th</sup> 1pm onward

Dec 2<sup>nd</sup>, wide open

Dec 3<sup>rd</sup> wide open until 3:30

For Kron, we have:

11/23

11/29

11/30

12/2

Please let us know what dates work on your end.

---

**From:** Techentin, Jeffrey <[Jtechentin@apslaw.com](mailto:Jtechentin@apslaw.com)>  
**Sent:** Monday, November 8, 2021 1:16 PM  
**To:** Bozeman, Melissa A. <[Melissa.Bozeman@KutakRock.com](mailto:Melissa.Bozeman@KutakRock.com)>  
**Cc:** Carmeli, Daniel <[Daniel.Carmeli@KutakRock.com](mailto:Daniel.Carmeli@KutakRock.com)>; Kessler, Peter N. <[Peter.Kessler@KutakRock.com](mailto:Peter.Kessler@KutakRock.com)>; Griffin, Oliver D. <[Oliver.Griffin@KutakRock.com](mailto:Oliver.Griffin@KutakRock.com)>; Nemcik, Robin M. <[Robin.Nemcik@KutakRock.com](mailto:Robin.Nemcik@KutakRock.com)>  
**Subject:** RE: Ingenico / AnywhereCommerce / Plaintiffs' depositions

[ CAUTION - EXTERNAL SENDER ]

Hi Melissa,

Please get back to me with dates today on this, or we will issue the notices for Boston on dates of our convenience. I also await a response on the counterclaim issue.

Jeff

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---

**From:** Techentin, Jeffrey <[Jtechentin@apslaw.com](mailto:Jtechentin@apslaw.com)>  
**Sent:** Wednesday, November 3, 2021 2:22 PM  
**To:** Bozeman, Melissa A. <[Melissa.Bozeman@KutakRock.com](mailto:Melissa.Bozeman@KutakRock.com)>  
**Cc:** Carmeli, Daniel <[Daniel.Carmeli@KutakRock.com](mailto:Daniel.Carmeli@KutakRock.com)>; Kessler, Peter N. <[Peter.Kessler@KutakRock.com](mailto:Peter.Kessler@KutakRock.com)>; Griffin, Oliver D. <[Oliver.Griffin@KutakRock.com](mailto:Oliver.Griffin@KutakRock.com)>; Nemcik, Robin M. <[Robin.Nemcik@KutakRock.com](mailto:Robin.Nemcik@KutakRock.com)>  
**Subject:** RE: Ingenico / AnywhereCommerce / Plaintiffs' depositions

Melissa,

Attached are draft 30(b)(6) notices for the plaintiff entities. These are draft only insofar as the date and location (physical or "zoom") are not set. I look forward to hearing from you regarding dates.

Also, unless I missed it, I have yet to get a response to my original inquiry regarding the status of the patent claim dismissal issue.

Jeff

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**From:** Bozeman, Melissa A. <[Melissa.Bozeman@KutakRock.com](mailto:Melissa.Bozeman@KutakRock.com)>

**Sent:** Tuesday, November 2, 2021 4:27 PM

**To:** Techentin, Jeffrey <[Jtechentin@apslaw.com](mailto:Jtechentin@apslaw.com)>

**Cc:** Carmeli, Daniel <[Daniel.Carmeli@KutakRock.com](mailto:Daniel.Carmeli@KutakRock.com)>; Kessler, Peter N. <[Peter.Kessler@KutakRock.com](mailto:Peter.Kessler@KutakRock.com)>; Griffin, Oliver D. <[Oliver.Griffin@KutakRock.com](mailto:Oliver.Griffin@KutakRock.com)>; Nemcik, Robin M. <[Robin.Nemcik@KutakRock.com](mailto:Robin.Nemcik@KutakRock.com)>

**Subject:** RE: Ingenico / AnywhereCommerce / Plaintiffs' depositions

No, when we spoke, I had proposed substituting Messrs. Cobrin and Kron in for Thanksgiving week in lieu of Ben Lo, and aiming to schedule Mr. Lo's deposition for the following week. I also mentioned that were going to work on getting Mr. Lo into a time zone for his deposition that is not the exact opposite of ours, to avoid having to conduct the deposition at odd business hours or in piecemeal. We are still working on the details for Mr. Lo's deposition, but it would need to be a bit further into December based on his schedule (but before the cut-off, obviously!).

Can we still go ahead with the foregoing proposed revision to the deposition schedule? Based on our call, I did have Mr. Lo release the Thanksgiving week dates.

Alternatively, I'm happy to discuss on a call, with a follow-up email this time, to ensure that we are all on the same page. I'm sorry if I wasn't as clear as I thought I had been on our first call.

**Melissa A. Bozeman** | Partner | Kutak Rock LLP

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---

**From:** Techentin, Jeffrey <[Jtechentin@apslaw.com](mailto:Jtechentin@apslaw.com)>

**Sent:** Tuesday, November 2, 2021 4:07 PM

**To:** Bozeman, Melissa A. <[Melissa.Bozeman@KutakRock.com](mailto:Melissa.Bozeman@KutakRock.com)>

**Cc:** Carmeli, Daniel <[Daniel.Carmeli@KutakRock.com](mailto:Daniel.Carmeli@KutakRock.com)>; Kessler, Peter N. <[Peter.Kessler@KutakRock.com](mailto:Peter.Kessler@KutakRock.com)>; Griffin, Oliver D. <[Oliver.Griffin@KutakRock.com](mailto:Oliver.Griffin@KutakRock.com)>; Nemcik, Robin M. <[Robin.Nemcik@KutakRock.com](mailto:Robin.Nemcik@KutakRock.com)>

**Subject:** RE: Ingenico / AnywhereCommerce / Plaintiffs' depositions

[ CAUTION - EXTERNAL SENDER ]

Hi Melissa, thanks for the quick response, but (1) you're correct that 11/25-26 are holidays, and (2) 11/22-23 are already scheduled for Ben Lo. 11/24 is problematic. I thought you were going to look at the following week?

As for the deposition topics, I thought when we discussed this you'd indicated that Kron and Cobrin are "basically it" when it comes to AnywhereCommerce but obviously the designation is their business so I'll get those out to you.

Jeff

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**From:** Bozeman, Melissa A. <[Melissa.Bozeman@KutakRock.com](mailto:Melissa.Bozeman@KutakRock.com)>

**Sent:** Tuesday, November 2, 2021 3:59 PM

**To:** Techentin, Jeffrey <[Jtechentin@apslaw.com](mailto:Jtechentin@apslaw.com)>

**Cc:** Carmeli, Daniel <[Daniel.Carmeli@KutakRock.com](mailto:Daniel.Carmeli@KutakRock.com)>; Kessler, Peter N. <[Peter.Kessler@KutakRock.com](mailto:Peter.Kessler@KutakRock.com)>; Griffin, Oliver D. <[Oliver.Griffin@KutakRock.com](mailto:Oliver.Griffin@KutakRock.com)>; Nemcik, Robin M. <[Robin.Nemcik@KutakRock.com](mailto:Robin.Nemcik@KutakRock.com)>

**Subject:** RE: Ingenico / AnywhereCommerce / Plaintiffs' depositions

Mitchell Cobrin and Michael Kron both have general availability for November 22, 23, and 24. (I assume U.S. participants/counsel are not available on 11/25 with 11/26 being less than ideal for either taking or defending depositions.) They are the likely candidates to serve as one or more designated corporate deponents for AnywhereCommerce, however, it is possible that someone else in the Company may be designated, depending on the specific topics of inquiry that are set forth in your notices.

Please send us the topics of inquiry as soon as practicable – with or without the notices, as you deem fit – and we will confirm designations, dates, etc. for you as soon as possible.

**Melissa A. Bozeman** | Partner | Kutak Rock LLP

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[Melissa.Bozeman@KutakRock.com](mailto:Melissa.Bozeman@KutakRock.com)

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**From:** Techentin, Jeffrey <[Jtechentin@apslaw.com](mailto:Jtechentin@apslaw.com)>

**Sent:** Tuesday, November 2, 2021 3:42 PM

**To:** Bozeman, Melissa A. <[Melissa.Bozeman@KutakRock.com](mailto:Melissa.Bozeman@KutakRock.com)>

**Cc:** Carmeli, Daniel <[Daniel.Carmeli@KutakRock.com](mailto:Daniel.Carmeli@KutakRock.com)>; Kessler, Peter N. <[Peter.Kessler@KutakRock.com](mailto:Peter.Kessler@KutakRock.com)>

**Subject:** Ingenico / AnywhereCommerce / Plaintiffs' depositions

**[ CAUTION - EXTERNAL SENDER ]**

Hi Melissa,

Just as a reminder, you were going to get me dates of availability for the AnywhereCommerce depositions, so that we can renotice them and get out 30(b)(6) notices as well.

Also, I'm advised that you were going to provide us with the plaintiffs' position with respect to the dismissal of the patent infringement counterclaim. Can you let me know where that stands?

Thanks,

Jeff

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